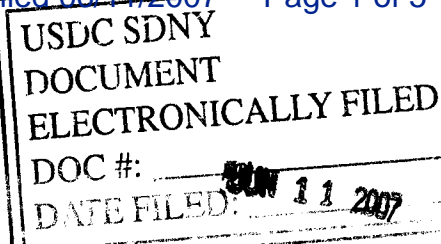


JUDGE BAILEY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

JOSUE GUTIERREZ MENDEZ,
OSWALDO ANAYA MORENO,

a/k/a "Carlos,"

a/k/a "Luis,"

a/k/a "Loco,"

a/k/a "Buyi,"

a/k/a "Bulle,"

EDISON DE LOS SANTOS,

a/k/a "Pancho,"

a/k/a "Eddie," and

RICARDO DELUCAS SORIANO,

a/k/a "Primo,"

Defendants.

COUNT ONE

The Grand Jury charges:

1. From at least in or about August 2006, up to and including in or about June 2007, in the Southern District of New York and elsewhere, JOSUE GUTIERREZ MENDEZ, OSWALDO ANAYA MORENO, a/k/a "Carlos," a/k/a "Luis," a/k/a "Loco," a/k/a "Buyi," a/k/a "Bulle," EDISON DE LOS SANTOS, a/k/a "Pancho," a/k/a "Eddie," and RICARDO DELUCAS SORIANO, a/k/a "Primo," the defendants, and others known and unknown, unlawfully, intentionally, and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that

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JOSUE GUTIERREZ MENDEZ, OSWALDO ANAYA MORENO, a/k/a "Carlos," a/k/a "Luis," a/k/a "Loco," a/k/a "Buyi," a/k/a "Bulle," EDISON DE LOS SANTOS, a/k/a "Pancho," a/k/a "Eddie," and RICARDO DELUCAS SORIANO, a/k/a "Primo," the defendants, and others known and unknown, would and did distribute, and possess with intent to distribute, a controlled substance, to wit, five kilograms and more of mixtures and substances containing a detectable amount of cocaine, in violation of Sections 812, 841(a)(1), and 841(b)(1)(A) of Title 21 of the United States Code.

Overt Acts

3. In furtherance of the conspiracy, and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about May 28, 2007, EDISON DE LOS SANTOS, a/k/a "Pancho," a/k/a "Eddie," the defendant, had a telephone conversation about cocaine with a co-conspirator not named as a defendant herein ("CC-1").

b. On or about May 30, 2007, OSWALDO ANAYA MORENO, a/k/a "Carlos," a/k/a "Luis," a/k/a "Loco," a/k/a "Buyi," a/k/a "Bulle," and RICARDO DELUCAS SORIANO, a/k/a "Primo," the defendants, traveled from the Bronx, New York to Pennsylvania.

c. On or about June 2, 2007, JOSUE GUTIERREZ MENDEZ, the defendant, possessed approximately 9.5 kilograms of

cocaine, in the vicinity of Middletown, Pennsylvania.

(Title 21, United States Code, Section 846.)

Forfeiture Allegations as to Counts One and Two

4. As a result of committing the controlled substance offenses alleged in Count One of this Indictment, JOSUE GUTIERREZ MENDEZ, OSWALDO ANAYA MORENO, a/k/a "Carlos," a/k/a "Luis," a/k/a "Loco," a/k/a "Buyi," a/k/a "Bulle," EDISON DE LOS SANTOS, a/k/a "Pancho," a/k/a "Eddie," and RICARDO DELUCAS SORIANO, a/k/a "Primo," the defendants, shall forfeit to the United States, pursuant to 21 U.S.C. § 853 and 970, any and all property constituting or derived from any proceeds the defendants obtained directly or indirectly as a result of the said violations and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of said violations.

Substitute Asset Provision

5. If any of the above-described forfeitable property, as a result of any act or omission of JOSUE GUTIERREZ MENDEZ, OSWALDO ANAYA MORENO, a/k/a "Carlos," a/k/a "Luis," a/k/a "Loco," a/k/a "Buyi," a/k/a "Bulle," EDISON DE LOS SANTOS, a/k/a "Pancho," a/k/a "Eddie," and RICARDO DELUCAS SORIANO, a/k/a "Primo," the defendants:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third person;

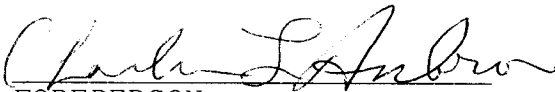
c. has been placed beyond the jurisdiction of the Court;


d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of JOSUE GUTIERREZ MENDEZ, OSWALDO ANAYA MORENO, a/k/a "Carlos," a/k/a "Luis," a/k/a "Loco," a/k/a "Buyi," a/k/a "Bulle," EDISON DE LOS SANTOS, a/k/a "Pancho," a/k/a "Eddie," and RICARDO DELUCAS SORIANO, a/k/a "Primo," the defendants, up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 853 and 970.)


FOREPERSON


MICHAEL J. GARCIA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA

- v. -

JOSUE GUTIERREZ MENDEZ,
OSWALDO ANAYA MORENO, a/k/a "Carlos,"
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a/k/a "Buyi," a/k/a "Bulle,"
EDISON DE LOS SANTOS, a/k/a "Pancho,"
a/k/a "Eddie," and
RICARDO DELUCAS SORIANO, a/k/a "Primo,"

Defendants.

INDICTMENT

07 CR ____

(Title 21, United States Code, Section 846)

MICHAEL J. GARCIA
United States Attorney.

A TRUE BILL


Foreperson.

Post-It 11/1/87

6/11/07 - Ed. Indictment case assigned to
Judge Gatta for all purposes. Arrest Warrant
Issued for Josue Gutierrez ~~Mendez~~ ^{Mendez} & Oswaldo
Anaya Moreno and Ricardo De Lucas Soriano.
Eaton, G. U.S. U.D.